IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 24356 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE D.H.WAGHELA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PARRY ENGINEERING AND ELECTRONICS PVT.LTD. - Petitioner(s)

Versus

MUSTUFA JANMAHAMMAD C/O.SHITLA LABOUR UNION - Respondent(s)

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Appearance :

MR DIPAK R DAVE for Petitioner(s) : 1,
RULE SERVED for Respondent(s) : 1,
MR GK RATHOD for Respondent(s) : 1,
MR MUKESH H RATHOD for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE D.H.WAGHELA

Date : 30/04/2007

1. The petitioner has challenged the award and order dated 16.3.2006 of Labour Court, Ahmedabad in Reference (LCA) No.427/1994 whereby

the respondent workman is ordered to be reinstated with 30% backwages. After admission and grant of interim relief in the present proceedings, the parties have negotiated for an amicable settlement and arrived at an understanding that the petitioner shall pay to the respondent sum of Rs.70,000/- towards full and final settlement of all the claims of the respondent arising from his service under the petitioner and the impugned award as also towards the terminal benefits such as gratuity or any other amount.

2. Accordingly, it was submitted that pursuant to the said understanding, the petitioner shall pay to the respondent, by a Demand Draft in his name, a sum of Rs.70,000/- on or before **30.5.2007** and subject to compliance with that condition, the petition was jointly requested to be allowed. Therefore, Rule is made absolute in the aforesaid terms with the

clarification that the impugned award shall stand quashed subject to compliance with the condition of payment of money to the respondent. No costs.

sd/-
[D. H. Waghela, J.]

msp